# EXHIBIT 2

#### McKINNEY'S

## CONSOLIDATED LAWS OF NEW YORK ANNOTATED

Book 3B Arts and Cultural Affairs Law

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Current Through the Laws of 2010, chapters 1 to 59 and 61 to 481 of the 233rd Legislative Session

Includes Commentaries by Elizabeth Block

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#### ARTS AND CULTURAL AF

#### ARTICLE 25-TICKETS TO PLACES OF ENTERTAINMENT

[Eff. until May 16, 2011, pursuant to L.1991, c. 704, § 4.

See also, Art. 25 Theatre Tickets, ante.]

Section
25.01. Levislative findings.

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Unlawful charges in connection with tickets. 25.29.

25.30. Operator prohibitions,
25.31: Suspension or revocation of licenses.
25.33: Private right of action.

25.35 Criminal penalties

## Historical and Statutory Notes

#### L.2010, c. 151 legislation

L.2010, c. 151, § 11, provides:

"Notwithstanding the provisions of article 5 of the general construction law, if this act shall take effect after May 15, 2010, the provisions of article 25 of the arts and cultural affairs law, except section 25.11 are hereby revived and shall continue in full force and effect as they existed on May 15, 2010 through May 15, 2011, when upon such date such provisions shall expire and be deemed repealed."

#### L.2007, c. 61 legislation

L.2007, c. 61, § 19, as amended by L.2007, c. 374, § 12, eff. July 18, 2007, provides:

"This act shall take effect immediately, provided this chapter shall not take effect with respect to the issuance of licenses or certificates under this article by the secretary of state or department of state until January 1, 2008 and regulation under this article by the commissioners of licenses of the political subdivisions of the state shall continue through December 31, 2007, and provided further,

that the amendments to article 25 of title G of the arts and cultural affairs law made by sections one through fifteen of this act shall not affect the repeal of such article and shall be deemed repealed therewith; and provided further that section seventeen of this act shall take effect upon the reversion of article 25 of title G of the arts and cultural affairs law pursuant to section 4 of chapter 704 of the laws: of 1991, as amended."

#### L.2005, c. 106 legislation

L.2005, c. 106, § 11-a, added by L.2005, c. 134, § 6, eff. June 30, 2005, deemed eff. June 14, 2005, provides:

"Notwithstanding the provisions of article 5 of the general construction law, the provisions of article 25 of title G of the arts and cultural affairs law are hereby revived and shall continue in full force and effect as they existed on May 31, 2005 and shall be subject to the repeal and reversion of such article pursuant to chapter 704 of the laws of 1991, as amended."

#### L.1991, c. 704 legislation ...

L.1991, c. 704, § 4; amended L.1994, c. 319, § 1; L.1995, c. 114,

§ 1, L.1996, c. 28, § 1, L.1 632, § 1, deemed eff. June 1 L.1998, c. 73, § 1, eff. June L.1999, c. 60, § 1, eff. June . L.2000, c. 42, § 1, eff. June L.2001, c. 48, § 1, eff. May 3 deemed eff. June 1, 2001; L. 56, § 7, eff. June 8, 2001; L. 68, § 1, eff. June 10, 2003; L. 106, § 10, eff. June 14, 2005; c. 61, § 1, eff. May 31, 2007; c. 374, § 11, eff. July 18 L.2009, c. 68, § 2, eff. June deemed eff. June 1, 2009; L. 151, § 5, eff. July 2, 2010, p

"This act [adding Arts and Affairs Law article 25, set out repealing Arts and Cultural Law article 25, set out fir amending McK. Unconsol. § 8919] shall take effect on t eth day after it shall have be law [became law Aug. 2, 1! Oct. 1, 1991], provided, chapt the laws of 2007 shall not tal with respect to the issuance c es or certificates under this a the secretary of state or der of state until January 1, 2 regulation under this article

#### § 25.01. Legislative fi

SERVICE CONTRACTOR

[Eff. until May 16, See also, § 25.01 in A

The legislature finds and for admission to places of a and subject to the super political subdivisions of th public against fraud, extor

The legislature further and sell tickets to places New York state often from ing to the provisions of t claim that businesses dom from this statute when sel state, regardless of the t seller. It is the legislat charged with enforcement al of New York state have persons reselling tickets t extent of the state's powe and that this article be con (Added L.1991, c. 704, § 1) L.2007, c. 61, § 1, eff. May 3;

#### S AND CULTURAL AFFAIRS

#### itory Notes

1 article pursuant to chapter 704 he laws of 1991, as amended." 2005, c. 106, § 12, provides:

This act shall take effect immedith, provided, however, that the indments to the arts and cultural is law made by this act shall not the repeal of article 25 of title such law and shall be deemed aled therewith."

#### 91, c. 704 legislation

1991, c. 704, § 4; amended 94, c. 319, § 1; L.1995, c. 114, L.1996, c. 28, § 1; L.1997, c. § 1, deemed eff. June 1, 1997; 18, c. 73, § 1, eff. June 1, 1998; 9, c. 60, § 1, eff. June 1, 1999; 10, c. 42, § 1, eff. June 1, 2000; 11, c. 48, § 1, eff. May 31, 2001, ed eff. June 1, 2001; L.2001, c. 7, eff. June 8, 2001; L.2003, c. 1, eff. June 10, 2003; L.2005, c. 10, eff. June 14, 2005; L.2007, § 1, eff. May 31, 2007; L.2007, 4, § 11, eff. July 18, 2007; 9, c. 68, \$ 2, eff. June 9, 2009, ed eff. June 1, 2009; L.2010, c. 5, eff. July 2, 2010, provides: is act Ladding Arts and Cultural 8 Law article 25, set out second, ing Arts and Cultural Affairs article 25, set out first, and ling McK. Unconsol. Laws Il shall take effect on the sixtiw after it shall have become a ecame law Aug. 2, 1991, eff. 1991], provided, chapter 61 of vs of 2007 shall not take effect espect to the issuance of licensertificates under this article by retary of state or department le until January 1, 2008 and ion under this article by the sioners of licenses of the politbdivisions of the state shall ie through December 31, 2007, all remain in full force and only until and including May I when such act shall be reand when, notwithstanding er provision of law, the proviarticle 25 of title G of the arts tural affairs law, repealed by t, shall be reinstituted; pro-

#### ARTS AND CULTURAL AFFAIRS

§ 25.03

vided further that section 25.11 of the arts and cultural affairs law, as added by section one of this act, shall survive such repeal date. Provided, however, the printing on tickets required pursuant to sections 25.07 and 25.08 of article 25 of the arts and cultural affairs law, as added by this act, shall not apply to tickets printed

prior to enactment of such article so long as notice of the higher maximum premium price and prohibition of sales within one thousand five hundred feet from the physical structure of the place of entertainment, where applicable, is prominently displayed at the point of sale and at such place of entertainment."

#### Notes of Decisions

#### Validity 1

1. Validity

Maximum ticket price restrictions contained in anti-scalping statute are

not unconstitutional. People v. Rosenblatt (1 Dept. 2000) 277 A.D.2d 61, 717 N.Y.S.2d 9. Public Amusement And Entertainment ⇔ 5

#### § 25.03. Definitions

[Eff. until May 16, 2011, pursuant to L. 1991, c. 704, § 4. See also, § 25.03 in Art. 25 Theatre Tickets, ante.]

As used in this article the term: 1. "Entertainment" means all forms of entertainment including, but not limited to, theatrical or operatic performances, concerts, motion pictures, all forms of entertainment at fair grounds, amusement parks and all types of athletic competitions including football, basketball, baseball, boxing, tennis, hockey, and any other sport, and all other forms of diversion, recreation or show.

- 2. "Established price" means the price fixed at the time of sale by the operator of any place of entertainment for admission thereto, which must be printed or endorsed on each ticket of admission.
- 3. "Final auction price" shall mean the price paid for a single ticket by a winning bidder. In the case of a single action price for a ticket package, including packages containing tickets to multiple events, the final auction price per ticket shall be established by evenly dividing a prorated share of the winning bid, which shall be determined by the seller, by the number of tickets to such event.
- 4. "Not-for-profit organization" means a domestic corporation incorporated pursuant to or otherwise subject to the not-for-profit
  corporation law, a charitable organization registered with the department of law, a religious corporation as defined in section sixty-six of
  the general construction law, a trustee as defined in section 8-1.4 of
  the estates, powers and trusts law, an institution or corporation
  formed pursuant to the education law, a special act corporation created
  pursuant to chapter four hundred sixty-eight of the laws of eighteen
  hundred ninety-nine, as amended, a special act corporation formed
  pursuant to chapter two hundred fifty-six of the laws of nineteen
  hundred seventeen, as amended, a corporation authorized pursuant to
  an act of congress approved January fifth, nineteen hundred five, (33
  stat. 599), as amended, a corporation established by merger of charitable organizations pursuant to an order of the supreme court, New

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York county dated July twenty-first, nineteen hundred eighty-six and filed in the department of state on July twenty-ninth, nineteen hundred eighty-six, or a corporation having tax exempt status under section 501(c)(3) of the United States Internal Revenue Code, and shall further be deemed to mean and include any federation of charitable organizations.

- 5.4 "Operator!" means any person who owns, operates, or controls a place of entertainment or who promotes or produces an entertainment.
- 6. "Place of entertainment" means any privately or publicly owned and operated entertainment facility such as a theatre, stadium, arena, racetrack, museum, amusement park, or other place where performances, concerts, exhibits, athletic games or contests are held for which an entry fee is charged.
- 7. "Physical structure" means the place of entertainment, or in the case where a structure either partially or wholly surrounds the place of entertainment, such surrounding structure.
- 8. "Resale" means any sale of a ticket for entrance to a place of entertainment located within the boundaries of the state of New York other than a sale by the operator or the operator's agent who is expressly authorized to make first sales of such tickets. Resale shall include sales by any means, including in person, or by means of telephone, mail, delivery service, facsimile, internet, email or other electronic means, where the venue for which the ticket grants admission is located in New York state. Except as provided in sections 25.11 and 25.27 of this article, the term "resale" shall not apply to any person, firm or corporation which purchases any tickets solely for their own use or the use of their invitees, employees and agents or which purchases tickets on behalf of others and resells such tickets to such invitees, employees and agents or others at or less than the established price. Similarly, the term "resale" shall not apply to any not-for-profit organization, or person acting on behalf of such not-forprofit organization, as long as any profit realized from ticket reselling is wholly dedicated to the purposes of such not-for-profit organization.
- "Ticket" means any evidence of the right of entry to any place of entertainment.
- 10. "Ticket office" means a building or other structure located other than at the place of entertainment, at which the operator or the operator's agent offers tickets for first sale to the public.

(Added L.1991, c, 704, § 1, Amended L.2001, c, 56, § 2, eff. June 8, 2001; L.2005, c, 106, §§ 1-a, 2, eff. June 14, 2005; L.2005, c, 134, § 1, eff. June 30, 2005; L.2007, c, 61, § 2, eff. May 31, 2007; L.2007, c, 374, §§ 1, 2, eff. July 18, 2007; L.2010, c, 151, § 1, eff. July 2, 2010.)

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L.2010, c. 151 legislation

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upon such date such provi expire and be deemed reper L.2010, c. 151, \$ 12, prov

"This act shall take effer ately; provided that the an to section 25.03 of the arts: al affairs law, made by sec this act, shall be subject to ration and reversion of si pursuant to section 4 of cl of the laws of 1991, as when upon such date the of section two of this act effect; provided further amendments to section 25 arts and cultural affairs lay section four of this act shall the expiration and reversi article, and shall expire deemed repealed therewit ed, further, that the amen section 25.25 of the arts ar affairs law, made by sect this act shall not affect the such article and shall be c pealed therewith; provide that the amendments to se of the arts and cultural a made by section seven o shall not affect the reper article and shall be deeme therewith; provided, furthe amendments to section 25 arts and cultural affairs lav section eight of this act, affect the repeal of such : shall be deemed repealed provided, further, that the of paragraph (c) of subdit section 25.30 of the arts ar affairs law as added by se of this act shall not apply sold at initial sale prior to tive date [July 2, 2010] o provided, further, that the ments to section 25.35 of th cultural affairs law, made nine of this act, shall not repeal of such article and deemed repealed therewith vided further that section 2 arts and cultural affairs law by section ten of this act. vive the expiration and re article 25 of such law as p